

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

## PCT

### NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Rule 71.1)

To:

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19.04.2004

Applicant's or agent's file reference  
P58333PC00

#### IMPORTANT NOTIFICATION

International application No.  
PCT/NL 03/00021

International filing date (day/month/year)  
14.01.2003

Priority date (day/month/year)  
14.01.2002

Applicant  
FOUNTAIN TECHNOLOGIES B.V. et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international  
preliminary examining authority:



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# PATENT COOPERATION TREATY

# PCT



## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>P58333PC00</b>	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. <b>PCT/NL 03/00021</b>	International filing date (day/month/year) <b>14.01.2003</b>	Priority date (day/month/year) <b>14.01.2002</b>
International Patent Classification (IPC) or both national classification and IPC <b>B42F13/00</b>		
Applicant <b>FOUNTAIN TECHNOLOGIES B.V. et al.</b>		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
  - ☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
  - These annexes consist of a total of 2 sheets.

3. This report contains indications relating to the following items:
  - I ☒ Basis of the opinion
  - II ☐ Priority
  - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - IV ☐ Lack of unity of invention
  - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI ☐ Certain documents cited
  - VII ☐ Certain defects in the international application
  - VIII ☐ Certain observations on the international application

Date of submission of the demand  <b>13.08.2003</b>	Date of completion of this report  <b>19.04.2004</b>
Name and mailing address of the international preliminary examining authority:  <b>European Patent Office</b> <b>D-80298 Munich</b> <b>Tel. +49 89 2399 - 0 Tx: 523656 epmu d</b> <b>Fax: +49 89 2399 - 4465</b>	Authorized Officer  <b>Sartor, M</b> <b>Telephone No. +49 89 2399-2793</b> 

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. **PCT/NL 03/00021**

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

1-9 as originally filed

**Claims, Numbers**

1-10 received on 02.03.2004 with letter of 01.03.2004

**Drawings, Sheets**

1/5-5/5 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. **PCT/NL 03/00021**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes: Claims	1-10
	No: Claims	
Inventive step (IS)	Yes: Claims	1-10
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-10
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/NL03/00021

- 1.1 From WO-A-93/24 335 a file is known (see on page 5, line 1 - page 6, line 13), from which a file according to claim 1 differs in that

(a) the first coupling means comprises clamping means, with which the...arch can be fixed to one of the covers and /or the spine.

A file according to claim 1 is therefore new (Art. 33 (2) PCT).

The problem to be solved is to render easier the production of a file.

None of the documents cited in the Search Report discloses or suggests the feature (a) of claim 1 in order to solve said problem.

A file according to claim 1 involves therefore an inventive step (Art. 33 (3) PCT). Accordingly also a set according to independent claim 8, a method according to independent claim 9 and the subject-matter of dependent claims 2-7 and 10 are new and involving an inventive step.

2. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document WO-A-93/24 335 is not mentioned in the description, nor is this document identified therein.
- 3.1 Although claim 1 is drafted in the two-part form, known features are incorrectly placed in the characterising portion ( see on point 1.) (Rule 6.3(b) PCT).
- 3.2 Independent claims 8 and 9 are not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate (see on points 1 and 3.1).

New Page

EPO - DG 1

02 03. 2004

Claims

(57)

1. A file (100), provided with at least a front cover (2), a back cover (3), a spine (4) and at least one arch for fastening paper and the like, coupling means (12) being provided for fastening the or each arch (13) to one of the covers (2, 3) or the spine (4) after it has been injection molded, said coupling means being  
5 (12) co-injection molded in the file, characterised in that the front cover (2), the back cover (3) and the spine (4) are manufactured in one piece, preferably by injection molding from plastic, hinges (5, 6) being co-formed for connecting the covers (2, 3) with the spine (4), and in that the coupling means (12) comprise  
10 clamping means (22), with which the or each arch (13) can be fixed to one of the covers (2, 3) and/or the spine (4).
2. A file (100) according to claim 1, wherein the coupling means (12) at least comprise guide means (20) for sliding in the or each arch (13) with complementary second guide means (21), clamping means (22) being provided to fix the respective arch (13) in the guide means (20) when the respective arch  
15 (13) has been slid in completely.
3. A file (100) according to claim 1, wherein the arch (13) is co-injection molded in the file (100) with the coupling means (12) as insert.
4. A file according to any one of the preceding claims, wherein at least a part of the spine (4) is provided on the outside (11) with a surface that can be  
20 written on, which surface is provided by labeling.
5. A file according to claim 4, wherein said surface is provided by in-mold labeling.
6. A file according to any one of the preceding claims, wherein the covers (2, 3) and/or the spine (4) are provided with stiffening ribs (7, 8), preferably at  
25 least on the sides thereof facing inward during use.

7. A file according to any one of the preceding claims, wherein at least the outsides of the covers (2, 3) are at least largely provided with texture by in-mold labeling.

8. A set of a cover (1), comprising at least a front cover (2), a back cover (3)  
5 and a spine (4), interconnected by hinges (5, 6), wherein first coupling means (12) are provided in the cover (1), which first coupling means (12) comprise clamping means (22), and at least one arch (13) for clamping paper and the like, the or each arch being provided with second coupling means (18), for cooperation with the first coupling means (12), in particular the clamping  
10 means (22) thereof.

9. A method for presenting files, wherein covers (1), each comprising a front cover (2), a back cover (3) and a spine (4), interconnected by hinges (5, 6), in particular integrated hinges, are presented, which covers are provided with first coupling means (12), comprising clamping means (22), arches (13) further  
15 being presented, arranged to fix paper or the like, which arches (13) are provided with second coupling means (18) for cooperation with the first coupling means (12), in particular the clamping means (22), the covers (1) and arches (13) being presented apart from each other, such that a cover (1) and at least one arch (13) can be combined to a file (100) directly before use.

20 10. A method according to claim 9, wherein the covers (1) are injection molded with integrated hinges (5, 6).